

MINUTES - NORTH DAKOTA ATMOSPHERIC RESOURCE BOARD

APRIL 24, 2019

Chairman Tom Tupa called a telephone conference call meeting of the Atmospheric Resource Board to order at 10:00 a.m. CDT, April 24, 2019.

ROLL CALL

Roll call was taken. Members present were Tom Tupa, Monte Hininger, Hank Bodmer, Casey Veil, Kyle Wanner and Angela Seligman.

Others present were Darin Langerud, Director; Kelli Schroeder, Business Manager; Mark Schneider, Chief Meteorologist; Daniel Brothers, Meteorologist; Heide Delorme, Director of Administrative Services, State Water Commission; Jody Fischer, Weather Modification International (WMI); and Lance Gaebe, ND Weather Modification Association.

MINUTES

IT WAS MOVED BY MR. HININGER AND SECONDED BY MR. BODMER TO APPROVE THE MINUTES OF THE NOVEMBER 8, 2018 MEETING AS DISTRIBUTED. ALL MEMBERS VOTED YEA. THERE WERE NO NAY OR ABSTAIN VOTES. MOTION CARRIED 5-0.

FINANCIAL STATUS REPORT

Ms. Schroeder reviewed the financial status report for the period ending February 28, 2019.

In response to a question from Mr. Hininger, Ms. Schroeder explained that the \$2.8 million county fund appropriation is more than we currently actually receive. It allows us to accept new counties into the program between legislative sessions.

2019 WEATHER MODIFICATION PERMIT APPLICATIONS & PUBLIC COMMENT

Mr. Langerud informed the Board that the legal notice was published as required by statute for two consecutive weeks in the county newspapers in the target and adjacent counties in March with regard to the permit applications received from WMI. There was a 20-day period for the public to comment following the publication. With the last publishing date being March 29, 2019, the comment period ended April 18, 2019. Sixteen comments were received during that time and were provided to the Board via email the day before the meeting, along with Mr. Langerud's recommendations.

Mr. Langerud reviewed his recommendation for District 1 as follows. *"Director recommends the Board approve the permit for the District 1 target area as publicly noticed. Concerns over the science and benefits of the program do not align with the independent evaluations of the NDCMP."*

Mr. Langerud reviewed his recommendation for District 2 as follows. *"Director recommends the Board approve the permit for the District 2 operations area as publicly noticed. This includes the four-county target area and the 10 statute-mile buffer zone surrounding the target area in adjacent North Dakota counties. Public concern raised regarding funding is a local issue as referenced earlier in this document. Concerns over the science and benefits of the program do not align with the independent evaluations of the NDCMP."*

In response to a question from Mr. Bodmer, Mr. Langerud noted that we are going to make it through legislative session without any additional cuts to state funding for cost share, which is one third of NDCMP costs.

Mr. Tupa asked if anyone had thoughts in regard to Jennifer Neshem's request that the public comments be filtered through a third party instead of through the director as she feels that is a conflict of interest. Mr. Langerud noted that statute requires that the Director of the Atmospheric Resource Board renders the recommendation to the Board in this process. Unless law is changed to inject a third party, this request will not happen.

Mr. Tupa also reviewed a comment by Tanner Vix regarding the \$4.7 million allocation to grants, benefits & claims. He asked for clarification on that and asked if anyone has responded to Mr. Vix yet. Mr. Langerud stated that he has not responded yet but does intend to after permit issues are resolved. Typically, we do not respond to each individual comment during the comment period. The \$4.7 million that is being referred to is in grants and capital assets under the operations and research line item. It incorporates more authority than we have actual dollars, including \$1.5 million federal authority. Mr. Langerud will explain that difference to Mr. Vix.

In response to a question from Mr. Tupa, Mr. Langerud noted that there were about 3-4 new commenters. However, the majority were from the same group that commented in 2018. Four of the 12 from District 2 are from the same family.

Mr. Langerud noted that the legal notice only asks for comment to the negative, not letters of support.

Mr. Bodmer wanted to point out to the group Mr. Fjeldahl's comment regarding the program being a waste of money. Four years prior, Mr. Fjeldahl signed the Ward County

Commission resolution to authorize the county weather modification authority for five more years.

MR. BODMER MOVED TO ACCEPT THE DIRECTOR'S RECOMMENDATION FOR DISTRICT 1 AS OUTLINED IN HIS SUMMARY AND APPROVE THE WEATHER MODIFICATION PERMIT FOR DISTRICT 1 FOR WEATHER MODIFICATION, LLC, OF FARGO, ND. SECONDED BY MR. HININGER. ALL MEMBERS VOTED AYE. THERE WERE NO NAY OR ABSTAIN VOTES AND NO ABSENCES. MOTION CARRIED 5-0.

MR. BODMER MOVED TO ACCEPT THE DIRECTOR'S RECOMMENDATION FOR DISTRICT 2 AS OUTLINED IN HIS SUMMARY AND APPROVE THE WEATHER MODIFICATION PERMIT FOR DISTRICT 2 FOR WEATHER MODIFICATION, LLC, OF FARGO, ND. SECONDED BY MR. HININGER. ALL MEMBERS VOTED AYE. THERE WERE NO NAY OR ABSTAIN VOTES AND NO ABSENCES. MOTION CARRIED 5-0.

LEGISLATIVE UPDATE

Mr. Langerud noted that SB 2020 (State Water Commission budget bill) passed the Senate without changes to the ARB budget. The House Energy and Environment subcommittee discussed eliminating state cost share funding for the project. Representative Monson chairs the subcommittee. He worked to leave the cost share in the budget, which passed through the House. It has also gone through conference committee without any additional changes to ARB. The bill is now awaiting the Governor's signature.

Mr. Bodmer expressed that is wonderful news.

Mr. Gaebe noted that Representative Monson had very strong opposition from two members of his subcommittee who were out to strike the project cost share. Representative Monson pushed back pretty hard, as did Representative Sanford of Grand Forks recognizing the value for the aviation students at the University of North Dakota. Mr. Gaebe noted that the Governor has until tomorrow afternoon to sign. There is a little bit of concern that the bill may be vetoed due to concerns regarding Fargo-Moorhead flood commitments. However, that chance seems to be reducing.

In response to a question from Mr. Bodmer, Mr. Gaebe noted that opposition to the bill came from two representatives in the southwest. Representative Jim Schmidt is from Huff. His district extends from Sioux County, west into Adams and Hettinger Counties. The other is Representative Mike Schatz from New England.

In response to a question from Mr. Tupa, Mr. Gaebe noted that the likelihood of a veto early on was good in that the Governor has staked out his ground pretty strong of his

support for additional resources to Fargo-Moorhead flood control. He would like \$870 million more commitment to help contribute with the local share. That got a little complicated last week when the mayor of Fargo said that the \$750 million that the 2020 had in it was sufficient and they could make it work. The fervor from Fargo has diminished a little bit. If the Governor does veto it, the sustainability is in question because there was also an emergency clause on the bill which requires 2/3 majority. The House did not reach that number. However, Mr. Gaebe is hopeful that the Governor will sign the bill.

NORTH DAKOTA CLOUD MODIFICATION PROJECT

Budget

Mr. Langerud reported on meetings with the district weather modification authorities in February. Budget details were reviewed at the District 2 meeting with options to deal with the Ward County reduction in funding and the Burke County vote not to continue the project. Mr. Langerud reviewed the two options that were given to counties. The Minot Cessna 340 will be used out of Dickinson and serve both districts this year. District 1 authorities agreed. District 1 will now have 2 cloud base aircraft and share 30% of the Dickinson Cessna 340 lease costs. District 2 will have 3 cloud base aircraft, King Air C90 and 70% of the Dickinson Cessna 340 lease costs. Total project state cost will remain at 33%.

In response to questions from Mr. Tupa, Mr. Langerud indicated that Western Edge Aviation in Dickinson is ready to work with us. Housing has loosened up in the last few years. He doesn't anticipate issues there.

In response to a question from Mr. Bodmer, Mr. Langerud said that it hasn't been decided yet if we would keep chemical in Minot for aircraft to refill chemical. Mr. Brothers feels it would create logistical problems for storing chemical since there wouldn't be staff there on a regular basis to mix chemical or do inventories.

County contracts

Mr. Langerud stated with permitting done, we will now focus on getting the county contracts prepared and signed.

WMI contracts

Mr. Langerud stated that we have been in a holding pattern waiting for some certainty on our budget. Now that our budget bill is looking nearly complete, we can move forward with signing a new 3-year agreement with WMI.

Staffing

Mr. Schneider reported on hiring of the meteorology staff, which is completed. There will be an experienced radar meteorologist at both radars.

Ms. Schroeder reported on having five applicants for the eight intern co-pilot positions from the UND's Applied Weather Modification class. There is also a possibility that one intern from last year might work for us again. Ms. Schroeder attended the UND SAMA Career Fair on April 12th and was able to get four more applicants. However, one of the four has already backed out. Interviews will be conducted tomorrow.

Housing

Mr. Schneider reported on housing opportunities for the 2019 project. We maintain a document of potential housing options and leave it to the staff to choose and finalize their housing.

Seeding agent and supplies procurement

Mr. Schneider reported that chemical bids are complete. All chemical bids turned out at or below budget.

Mr. Erbele arrived at the meeting at 10:50 a.m.

North Dakota State University (NDSU) Economic Evaluation

Mr. Langerud reviewed the economic evaluation that NDSU is working on right now. The final report is expected in the next month or so. Some of the preliminary numbers are listed on the brochure that was provided. This was useful in discussions with legislators in regard to funding on the House side. With 10% rain enhancement and 45% reduction in crop hail losses, the NDCMP provides \$62 value for every dollar spent on the program.

COOPERATIVE OBSERVER NETWORK UPDATE

Mr. Brothers reported that there are currently 503 rain and snow observers, up slightly from the fall. Of those, 173 are reporting online.

In response to a request from Mr. Erbele, Mr. Langerud reviewed discussions with the Williams County Commission in November. He was asked about radar coverage in the northwest portion of the state and what could be done, following the devastating tornado in Watford City last summer. They discussed running the Stanley radar year-round. Commissioners were more interested in purchasing their own radar system to be installed in Williams County at the new Williston airport site north of town. They secured funding and are moving forward with the purchase of a new C-band dual-pol radar. ARB

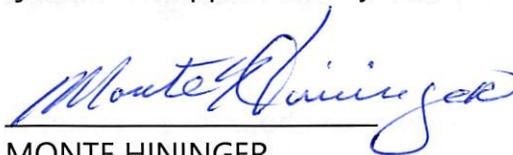
will be involved, but at this time it is not clear in what capacity. We have been asked to host the data and display it on our web site for public use. Since we are already doing that for our radars in Bowman and Stanley, we will more than likely be providing that service. We will also get direct access to the data for use in operations and evaluation.

In response to a question from Mr. Tupa, Mr. Langerud said that nothing is outlined at this point in regard to ARB assisting with funding.

Being no further business, the meeting adjourned at approximately 11:01 a.m.



TOM TUPA
CHAIRMAN



MONTE HININGER
SECRETARY

Transcribed by Kelli Schroeder